

JOSEPH E. ADDIEGO III (CA State Bar No. 169522)  
 NICK S. VERWOLF (admitted *Pro Hac Vice*)  
 DAVIS WRIGHT TREMAINE LLP  
 505 Montgomery Street, Suite 800  
 San Francisco, California 94111  
 Telephone: (415) 276-6500  
 Facsimile: (415) 276-6599  
 Email: joeaddiego@dwt.com  
 nickverwolf@dwt.com

Attorneys for Defendants  
 EQUILON ENTERPRISES LLC, and  
 SHELL OIL PRODUCTS COMPANY LLC

STEGER P. JOHNSON (CA State Bar No. 83421)  
 STEVEN J. BELL (CA State Bar No. 126567)  
 JONES, CLIFFORD, JOHNSON, DEHNER,  
 WONG, MORRISON, SHEPPARD & BELL, LLP  
 100 Van Ness Avenue, 19th Floor  
 San Francisco, CA 94102  
 Telephone: (415) 431-5310  
 Facsimile: (415) 431-2266  
 Email: sjohnson@jonesclifford.com

Attorneys for Plaintiff, KENT WARD

IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

KENT WARD,	)	Case No. CV 09-04565 RS
	)	
Plaintiff,	)	<b>STIPULATION AND [PROPOSED</b>
	)	<b>ORDER] FOR FIFTH EXTENSION OF</b>
v.	)	<b>DISCOVERY AND MEDIATION</b>
	)	<b>DEADLINES AND TO RESCHEDULE</b>
EQUILON ENTERPRISES, LLC, SHELL OIL	)	<b>FURTHER CASE MANAGEMENT</b>
PRODUCTS COMPANY LLC AND DOES 1	)	<b>CONFERENCE</b>
TO 50, inclusive,	)	
	)	<b>[Civ. L.R. 6-1(b) 6-2]</b>
Defendants.	)	
	)	<b>Trial Date: None</b>

Pursuant to Civil Local Rule 6-1(b) and 6-2 of the United States District Court for the Northern District of California, it is hereby stipulated by and between Plaintiff Kent Ward and Defendants Equilon Enterprises, LLC ("Equilon") and Shell Oil Products Company LLC ("Shell"), by and through their respective counsel of record, as follows:

1) All discovery and expert discovery deadlines set forth in this Court's April 8, 2010 Case Management Scheduling Order and originally extended for a period of 90 (ninety) days per this Court's October 8, 2010 Stipulation and Order to Extend Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference, and extended another 45 (forty five) days in this Court's January 20, 2011 Stipulation and Order For Second Extension of Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference, and extended again per this Court's March 3, 2011 Stipulation and Order for Third Extension of Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference, shall be extended from the current deadlines stated in the March 3, 2011 Order, as follows:

- a) All non-expert discovery shall be completed on or before October 11, 2011;
- b) Plaintiff shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before November 10, 2011;
- c) Defendants shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before December 12, 2011;
- d) All discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed on or before January 20, 2012.

2) The October 6, 2011 Further Case Management Conference has been rescheduled by the Court in its Order Overruling Objections to Magistrate Judge's Determination (Docket #59) to January 26, 2012 at 10:00 a.m. in the Courtroom of the Honorable Richard Seeborg, Courtroom 3, 17<sup>th</sup> Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The aforesaid Order directs the parties to file a Joint Case Management Statement at least one week prior to the Conference.

This Stipulation follows the parties' filing of their Stipulation and [Proposed Order] for Fifth Extension of Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference (Docket #58), which was not ordered by this Court, and this Court's aforesaid Order (Docket #59). The parties are prepared to continue with discovery in this matter now that this Court has ruled on Defendants' Motion for Relief from Non-Dispositive Order of

1 Magistrate Judge Dated February 24, 2011 (Docket #49), the outcome of which dictates the proper  
2 scope of examination of several of the remaining deponents.

3 This is the fifth stipulated time modification in this case, as set forth above. No trial date  
4 has been set, so this extension will not require that a trial date be rescheduled. The Further Case  
5 Management Conference previously set for October 6, 2011 already has been rescheduled by the  
6 Court to January 26, 2011.

7 IT IS SO STIPULATED.

8 Date: July 25, 2011

DAVIS WRIGHT TREMAINE LLP

9  
10 By: /s/ Joseph E. Addiego III  
JOSEPH E. ADDIEGO III

11 Attorneys for Defendants EQUILON ENTERPRISES LLC,  
12 and SHELL OIL PRODUCTS COMPANY LLC

13  
14 IT IS SO STIPULATED

15 Date: July 25, 2011

JONES, CLIFFORD, JOHNSON, DEHNER, WONG,  
16 MORRISON, SHEPPARD & BELL, LLP

17 By: /s/ Steven J. Bell  
18 Steven J. Bell

19 Attorneys for Plaintiff KENT WARD  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

DATED: July 29, 2011.



---

THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE

DAVIS WRIGHT TREMAINE LLP